

REMARKS

The Office Action mailed February 3, 2003 has been reviewed and carefully considered. Claims 1-11 remain pending in this case, with claims 1, 5 and 8 being the independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-11 were rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent Publication No. 2001/0008466 to Kim et al. ("Kim").

As acknowledged in the Office Action Summary (paper number 4) dated July 24, 2002, the present application has been accorded a priority date of July 25, 2000 pursuant to perfection of the priority claim through submission of certified copies of the Korean counterpart patent application serial number 200-42700 on July 23, 2001.

Applicant is in the process of preparing a certified English translation of this priority document, thus a supplemental amendment containing the certified translation will be filed shortly. The disclosure of the priority document provides support for claims 1-11, each of which therefore has a date of invention of July 25, 2000.

By contrast, the section 102(e) date of the Kim reference is December 28, 2000. Although the filing date of an international application is effective as the 102(e) date under certain circumstances, the filing date of a foreign national application cannot serve as the 102(e) date. The Kim reference therefore does not have a 102(e) date that corresponds to its earlier foreign counterpart; instead, the 102(e) date of the Kim reference is its filing date in the United States Patent and Trademark Office, December 28, 2000.

In accordance with 35 U.S.C. 102(e), the Kim application was not filed

before the date of invention, i.e. priority date, of the present invention as recited in claims 1-11 and therefore does not qualify as prior art

In addition, the Kim reference does not qualify as prior art pursuant to 35

U.S.C. 103(c), because, at the time the invention was made, the subject matter of the Kim reference and claims 1-11 of the present application were both owned by or subject to an obligation of assignment to Samsung Electronics.

Applicant also notes, with regard to claims 5-7, that the Kim reference fails to disclose or suggest "an integrated multi-period mask" as explicitly required by the language of claim 5, and therefore dependent claims 6 and 7.

For at least all of the above reasons, Kim fails to anticipate claims 1-11.

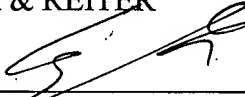
Reconsideration and withdrawal of the rejection is respectfully requested.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

In the event that any additional fee is required to continue the prosecution of
this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,

CHA & REITER

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5/5/03


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